## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

## FINEMAN KREKSTEIN & HARRIS, P.C.

A Pennsylvania Professional Corporation BY RICHARD J. PERR, ESQUIRE BNY Mellon Center, Suite 600 1735 Market Street Philadelphia, PA 19103-7513 (v) 215-893-9300; (f) 215-893-8719

e-mail: rperr@finemanlawfirm.com

**Attorneys for Defendant Integrity Solution Services** 

WARREN KOCUREK, : CIVIL ACTION

Plaintiff

v. : NO.

INTEGRITY SOLUTION SERVICES and GE CAPITAL RETAIL BANK,
Defendants

NOTICE OF REMOVAL

Defendant INTEGRITY SOLUTION SERVICES ("ISS"), by its undersigned counsel, and with the consent of defendant GE CAPITAL RETAIL BANK ("GE"), hereby petitions this Court as follows, pursuant to 28 U.S.C. § 1441(b):

- 1. ISS is a defendant in an action pending in the Superior Court of New Jersey, Law Division, Special Civil Part, Middlesex County, Docket No. DC-013831-13 ("the State Court Action"). A true and correct copy of the Complaint in the State Court Action is attached hereto as Exhibit "A".
- 2. Plaintiff in the State Court Action is Warren Kocurek ("Plaintiff"). <u>See</u> Exhibit "A".

1

{00725174;v1}

- 3. Plaintiff's State Court Action alleges violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, et seq.
- 4. The State Court Action involves a question of federal law. Pursuant to 28 U.S.C. § 1331, "The district courts shall have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States."
- 5. Pursuant to 28 U.S.C. § 1441(a), "[a]ny civil action brought in a State court of which the district courts of the United States have original jurisdiction, may be removed by the defendant or the defendants, to the district court of the United States for the district and division embracing the place where such action is pending."
- 6. Since this case arises out of an alleged violation of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, et seq., defendant ISS may properly remove the State Court Action to this Court based on 28 U.S.C. § 1441(a).
- 7. This Notice has been filed with the Court within thirty (30) days after purported service of the Complaint on defendant ISS.

WHEREFORE, defendant Integrity Solution Services prays that the State Court Action be removed from the Superior Court of New Jersey, Law Division, Special Civil Part, Middlesex County, Docket No. DC-013831-13, to this Court for proper and just determination.

FINEMAN KREKSTEIN & HARRIS, P.C.

		By	/S/ Richard J. Perr
		-	RICHARD J. PERR, ESQUIRE
			BNY Mellon Center
			1735 Market Street, Suite 600
			Philadelphia, PA 19103-7513
			(v) 215-893-9300; (f) 215-893-8719
			e-mail: rperr@finemanlawfirm.com
			Attorneys for Defendant Integrity Solution Services
Dated:	October 3, 2013		

2

## **CERTIFICATE OF SERVICE**

I, RICHARD J. PERR, ESQUIRE, hereby certify that on this date I served a true and correct copy of the foregoing electronically, or by first class mail, postage prepaid, or telecopy on the following:

Stuart Werbin, Esquire
The Law Offices of Gitmeid & Assoc., PLLC
11 Broadway, Suite 1310
New York, NY 10004
(v) 866-707-4595 X1004; (f) 866-460-5541
<a href="mailto:stuart.werbin@gitmeidlaw.com">stuart.werbin@gitmeidlaw.com</a>
Attorneys for Plaintiff

Superior Court of Middlesex Co. Middlesex Co. Courthouse 56 Paterson Street P.O. Box 1146 New Brunswick, NJ 08903 (v) 732-519-3765

		/S/ Richard J. Perr	
		RICHARD J. PERR, ESQUIRE	
Dated:	October 3, 2013		

{00725174;v1}